

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

JOSE DECASTRO,

Plaintiff,

v.

LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT, *et al.*,

Defendants.

Case No. 2:23-cv-00580-APG-EJY

**ORDER**

Pending before the Court is Plaintiff's Motion for Clarification. ECF No. 52. Plaintiff appears confused and believes there is some stay of this case that has not been lifted. The proceedings in this case were never stayed. Only discovery was stayed. The motion to which Plaintiff refers (ECF No. 32) sought a stay of discovery that was granted only so long as the Motion to Dismiss was pending. Once again, the Court explains the Motion to Dismiss was decided on October 23, 2023 (ECF No. 44) and the stay of discovery was automatically lifted. *Id.* The Court's November 9, 2023 Order confirmed that no stay of proceedings or discovery was in place in this case. ECF No. 48. A discovery plan and scheduling order is due no later than November 22, 2023. That plan and order will set dates for all remaining activity in this case. There is no tolling that applies.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion for Clarification is (ECF No. 52) is GRANTED as stated above.

IT IS FURTHER ORDERED that the parties **must** submit a proposed discovery plan and scheduling order no later than **November 22, 2023**.

1 IT IS FURTHER ORDERED that Plaintiff continues to have through and including  
2 **November 27, 2023** to file whatever motion or response he believes is appropriate with respect to  
3 the Court's Order at ECF No. 45.

4 Dated this 17th day of November, 2023.

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6 ELAYNA J. YOUCHAH  
7 UNITED STATES MAGISTRATE JUDGE  
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